

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JOSE ANTONIO RODRIGUEZ,

Case No. 3:23-cv-00660-MMD-CLB

Petitioner,

ORDER

v.

DAVID A. HARDY, *et al.*,

Respondents.

In this habeas corpus action, the Court appointed counsel for Petitioner Jose Antonio Rodriguez, and, with counsel, Rodriguez was due to file an amended habeas petition by October 15, 2024. (ECF Nos. 3, 11.) On October 15, 2024, Rodriguez filed a Motion to Stay (ECF No. 12), requesting that this action be stayed while he completes litigation of a state habeas action. Rodriguez explains that he filed a timely first state habeas petition on October 9, 2024, and that action remains pending. Rodriguez points out—correctly in this Court’s view—that staying this action now, to allow him to exhaust the claims he asserts in his state habeas action, will serve the interests of judicial economy. Rodriguez’s counsel represents that the Respondents do not oppose the motion for stay, and, indeed, the Respondents did not respond to it.

It is therefore ordered that Petitioner’s Motion to Stay (ECF No. 12) is granted. This action is stayed while Rodriguez completes his state habeas action. The Clerk of the Court is directed to administratively close this case.

It is further ordered that following the conclusion of Rodriguez’s state-court proceedings Rodriguez must, within 30 days, make a motion to lift the stay of this action.

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1 It is further ordered that this action will be subject to dismissal if Rodriguez does  
2 not comply with the time limits in this Order, or if he otherwise fails to proceed with  
3 diligence during the stay imposed by this Order.

4 DATED THIS 31<sup>st</sup> Day of October 2024.

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7 MIRANDA M. DU  
8 UNITED STATES DISTRICT JUDGE  
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